Approved For Release 2001/08/30 : CIA-RDP75B00380R000500400004-3

S. 1935
[Proxmire]
H. R. 8592
[Harrington]

Purpose: To amend Section 102 of the National Security Act of 1947 to prohibit certain activities by the CIA and to limit certain other Agency activities

Comment:

S. 1935 and companion bill H. R. 8592 add a new subsection to 102 of the National Security Act of 1947 to specifically preclude CIA from engaging in any internal security or police activities directly or indirectly, any "illegal" activities within the U. S., or to engage in any covert action abroad unless approved in writing by the CIA oversight subcommittees of House and Senate Appropriations and Armed Services Committees.

Position:

By letter to the Director dated 8 June, Chairman Stennis requested Agency views on S. 1935. Chairman Hebert, House Armed Services Committee, by letter to General Walters dated 13 June, requested the views and recommendations of CIA on H. R. 8592. The Agency's position was coordinated with OGC, all Deputy Directorates, and the IC.

A proposed reply to Chairman Stennis on S. 1935 was circulated for comment and coordination on 30 August. The proposed reply recommended that S. 1935 not be favorably acted upon. The proscription against the Agency's involvement in law enforcement activities was considered adequately covered in our present law. This provision in the bill was considered so broadly stated that it would preclude CIA from providing information to law enforcement agencies, both Federal and State, in foreign intelligence matters which are of direct concern to law enforcement agencies. This would include areas as narcotics smuggling, high jacking, terrorism, and all aspects of foreign directed espionage and subversion. The proscription against "illegal" activities by CIA was considered of no merit since CIA is already forbidden from doing anything illegal. The amendment to require the written approval of CIA's oversight committees before the Agency conducts any "covert action" abroad is considered to be contrary to international law and could cause embarrassment in international relations since it constitutes a specific authorization for CIA to engage in covert action in any foreign country.

IC, OGC and DDO concurred. The DDI recommended deletion of the statement in the draft that a statutory acknowledgement that the U. S. engages in covert action against foreign nations was contrary to the principle of international law.

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On 16 July Mr. Colby met with Chairman Hebert and they discussed the Proxmire/Harrington bill. Chairman Hebert said not to be concerned about the bills as the matter of revising the Agency's charter is before his committee and would be brought into a proper point of discussion at the right time. Mr. Colby at that time raised the same points as are contained in the written response to Chairman Stennis on S. 1935.

The reply to Chairman Hebert on H. R. 8592 consists of a copy of the Agency reply to Chairman Stennis since the two are companion bills.

Status:

S. 1935 was referred to the Senate Subcommittee on Armed Services on June 4. H. R. 8592 was referred to the House Committee on Armed Services on June 12.

Agency reply sent to OMB on 24 September.

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